

**STATE OF INDIANA
CIVIL RIGHTS COMMISSION**

DOCKET NO. EMsh07090453

BRENDA HAMBLIN,
Complainant,

FILE DATED

v.

SEP 25 2009

**DH TOYS, INC. d/b/a
LEARNING EXPRESS;**
Respondent.

Indiana State Civil Rights Commission

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On August 13, 2009, Robert D. Lange, Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC"), entered his Proposed Findings Of Fact, Conclusions Of Law, And Order ("the proposed decision").

No objections have been filed to the ICRC's adoption of the proposed decision.

Having carefully considered the foregoing and being duly advised in the premises, the ICRC hereby adopts as its own the findings of fact, conclusions of law, and order proposed by the ALJ in the proposed decision, a copy of which is attached hereto and incorporated herein by reference.

INDIANA CIVIL RIGHTS COMMISSION


COMMISSIONER


COMMISSIONER


COMMISSIONER


COMMISSIONER

Dated: 25 September 2009

To be served by first class mail on the following parties and attorneys of record:

Brenda Hamblin
1320 Rolling Court East
Westfield, IN 46074

LEEUW OBERLIES & CAMPBELL, P.C.
BY: John M. Mead, Esq.
Attorneys for Respondent DH Toys, Inc. d/b/a Learning Express
320 North Meridian Street, Suite 1006
Indianapolis, IN 46204

and to be personally served on the following attorney of record:

Michael C. Healy, Esq.; Staff Counsel
Indiana Civil Rights Commission
Attorney for Complainant Brenda Hamblin
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255

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BRENDA HAMBLIN,
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v.

**DH TOYS, INC. d/b/a
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FILE DATED

AUG 13 2009

Indiana State Civil Rights Commission

**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

On August 12, 2009, Complainant, Brenda Hamblin ("Hamblin"), and Respondent DH Toys, Inc. d/b/a Learning Express ("DHT"), each by counsel, filed their Stipulation Of Dismissal.

Having carefully considered the foregoing and being duly advised in the premises, the undersigned Administrative Law Judge for the Indiana Civil Rights Commission ("ICRC") proposes that the ICRC enter the following findings of fact, conclusions of law, and order.

FINDINGS OF FACT

1. This proceeding involves Hamblin's claim that she was terminated from her position because she complained about sexual harassment. COMPLAINT OF DISCRIMINATION (September 17, 2007).
2. DHT denies Hamblin's claim of unlawful discrimination. RESPONSE TO REQUEST FOR INFORMATION (October 3, 2007).

3. The Stipulation is expressly motivated by settlement.
4. There is no evidence of fraud, coercion, duress, or any other reason not to approve of the requested dismissal.
5. Any Conclusion Of Law that should have been deemed a Finding Of Fact is hereby adopted as such.

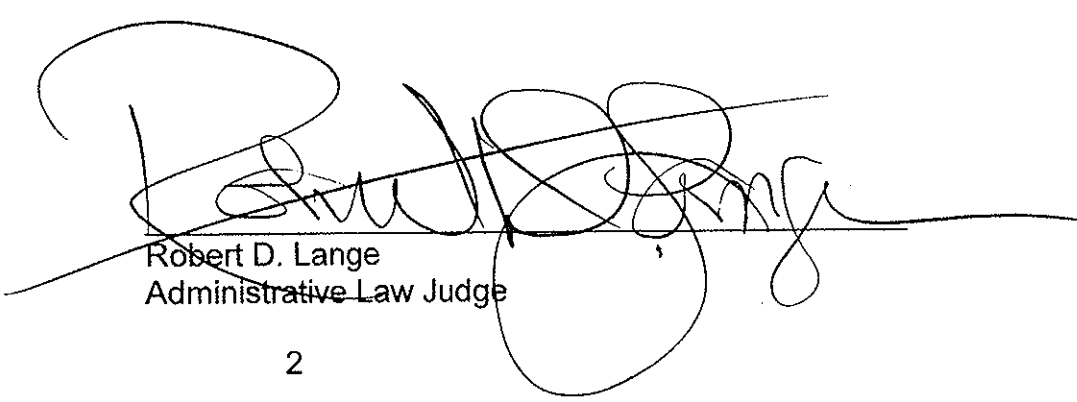
CONCLUSIONS OF LAW

1. The ICRC has jurisdiction over the subject matter and the parties.
2. Settlement is a favored resolution and should be encouraged.
3. Administrative review of this proposed decision may be obtained by the filing of a writing identifying with reasonable particularity each basis of each objection within 15 days after service of this proposed decision. IC 4-21.5-3-29(d).
4. Any Finding Of Fact that should have been deemed a Conclusion Of Law is hereby adopted as such.

ORDER

1. The Joint Stipulation Of Dismissal is **GRANTED**.
2. Hamblin's complaint is **DISMISSED**, with prejudice.

Dated: 13 August 2009


Robert D. Lange
Administrative Law Judge

To be served by first class mail this 13th day of August, 2009 on the following party and attorneys of record:

Brenda Hamblin
1320 Rolling Court East
Westfield, IN 46074

LEEUEW OBERLIES & CAMPBELL, P.C.
BY: John M. Mead, Esq.
Attorneys for Respondent DH Toys, Inc. d/b/a Learning Express
320 North Meridian Street, Suite 1006
Indianapolis, IN 46204

and to be personally served this 13th day of August, 2009 on the following:

Michael C. Healy, Esq.; Staff Counsel
Indiana Civil Rights Commission
Attorney for Complainant Brenda Hamblin
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, IN 46204-2255

Indiana Civil Rights Commission
c/o Tony A. Kirkland, Executive Director
Indiana Government Center North
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